

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval Under Simplified Acquisition Procedures (SAP) For Restricting Competition under FAR 13.106-1(b)(1) "Single Source"

1. **Contracting Activity:**

Department of Veterans Affairs, Network Contracting Office 20, Puget Sound VA Medical Center

2. **Nature and/or Description of the Action Being Processed:**

This procurement under PR # 663-13-4-8879-3568 is for X3 Prosthetic Knee Systems by Ottobock, where in accordance with FAR 6.001(a), acquisitions conducted under FAR 13 for SAP are exempt from the requirements of FAR Part 6, but still require a justification using the format of FAR 6.303-2.

3. **Description of Supplies or Services Required to Meet the Agency's Needs:**

The supply required to meet the agency's need is the X3 Genium Ottobock Knee system at approximately \$41,500.00 each. These prosthetic knee systems will serve as a tool for the Prosthetics Clinicians to evaluate patient's ability to utilize this type of prosthetic knee system. The clinician requires three X3 Knee Systems to provide optimal support to meet the needs of the veterans within the Puget Sound VA Medical Center System. This Microprocessor X3 Knee System will help determine which type of knee is appropriate for a given patient. This advanced technology could improve the safety and function of a lower-extremity amputee.

Total Cost: 124,500.00

4. **Statutory Authority Permitting Restriction in Competition:**

The statutory authority for restricting competition under SAP, or Single Sourcing, for acquisitions under \$150,000 or Simplified Acquisition Threshold (SAT) is FAR 13.106-1(b)(1). The statutory reason for restricting competition is due to the X3 Knee being available from only one source. The technology offered by the Ottobock X3 knee is not comparable with other products on the market.

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

The X3 knee is the most technologically advanced microprocessor prosthetic knee on the market today with gyroscope and accelerometer for a more sophisticated processing that intends to create more natural movement for the amputee. The X3 is also the only waterproof prosthetic knee with this technology currently on the market.

6. **Description of Efforts Made to Ensure that Offers are Solicited from As Many Potential Sources as Deemed Practicable IAW FAR 13.104:**

Due to the X3 having specifications that no other manufacturer provides no further competition was available. The specifications include 5 adjustable activity modes, fully charged battery operating approximately five days and knee flexion angle up to 135 degrees.

7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable – IAW FAR 13.106-3:**

Previous Contracting Officers have accomplished a decreased cost through negotiations and the vendor has agreed to maintain this reduced cost for this procurement. This is below the catalog price for this item.

8. **Description of the Market Research Conducted and the Results, or Statement of Reasons Market Research was not Conducted (FAR 10):**

There is one vendor available that is equipped to supply the requirement that meets the salient characteristics of the requestor.

9. **Any Other Facts Supporting the Restriction of Competition:**

No other supporting documentation available.

10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:**

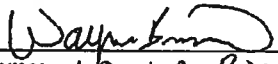
None

11. **Statement of Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making Subsequent Acquisitions for the Supplies or Services Required:**

These prosthetics microprocessor knees are being prescribed to patients by medical clinicians after careful evaluation. The prosthetics on this requirement will be served as a tool to ensure compatibility between the product and the patient. Further procurements of X3 Prosthetics for demo purposes are not foreseen therefore no future barriers are needed to be overcome.

12. **Requirements Certification - IAW FAR 6.303-2(c):**

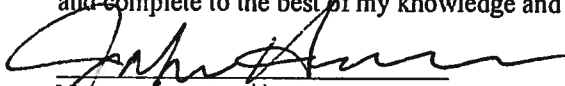
I certify that the requirement outlined in this justification is a bonafide need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.


Name: Wayne Biggs
Position: P&O Regional Clinical Director

10-8-13
Date

13. **Approvals IAW VHA SOP 3.22.11:**

- a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

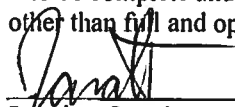

Name: John HARMSEN
Contracting Officer
NCO 20 Prosthetics

10-5-13
Date

I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.

Date

- c. **Acquisition Manager's Review and Approval:** I have reviewed the foregoing justification and find it to be complete and accurate to the best of my knowledge and belief and recommend approval for other than full and open competition.


Jonathan Jewel
Prosthetics Supervisor
Network Contracting Office 20

10/8/2013
Date